

Attorney Docket: 27391U

MAIL STOP PCT

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| U.S. Department Of Commerce, Patent And Trademark Office   |   | Date: June 2006 ( :06:2006)  |
| Transmittal Letter To The United States Designated/Elected Office (DO/EO/US) Concerning A Filing Under 35 U.S.C. 371   |   | U.S. Application No.:<br>(if known, No. Yes, Assigned)<br><b>10/582499</b> |
| International Application No.:<br>PCT/EP2004/053495  | International Filing Date: 15 December 2004<br>(15.12.2004) | Priority Date Claimed:<br>16 December 2003 (16:12:2003) EP                 |
| Title of Invention: AQUEOUS SUSPENSIONS OF CICLSONIDE FOR NEBULISATION   |   |  |
| Applicants for DO/EO/US: BRUECK-SCHEFFLER, ANTJE   |   |  |
| <p>Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li><input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li><input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)):             <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li><input type="checkbox"/> has been communicated by the International Bureau.</li> <li><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</li> </ol> </li> <li><input type="checkbox"/> An English translation of the International Application as filed (35 U.S.C. 371(c)(2)).</li> <li><input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li><input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).</li> <li><input type="checkbox"/> have been communicated by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li><input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li><input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li><input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p><b>ITEMS 11 TO 20 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:</b></p> <ol style="list-style-type: none"> <li><input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li><input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li><input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li><input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment</li> <li><input type="checkbox"/> A substitute specification.</li> <li><input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li><input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825</li> <li><input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4)</li> <li><input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4)</li> <li><input checked="" type="checkbox"/> Other items or information:<br/>TRANSMITTAL LETTER; APPLICATION DATA SHEET; INTERNATIONAL PUBLICATION NUMBER: WO 2005/058935 A2; INTERNATIONAL PUBLICATION DATE: 30 JUNE 2005 (30:06:2005), WHICH CONSISTS OF 22 PAGES: 1 PAGE FOR THE COVER SHEET, 16 PAGES OF TEXTUAL SPECIFICATION, 5 PAGES OF 41 CLAIMS, 0 SHEETS OF DRAWINGS; <b>PRELIMINARY AMENDMENT WITH APPENDICES A, B AND C TO BE EXAMINED</b>; EXECUTED DECLARATION AND POWER OF ATTORNEY; PCT/ISA/210 (INTERNATIONAL SEARCH REPORT); PCT/ISA/237 (WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY); PCT/IB/304 (NOTIFICATION CONCERNING SUBMISSION OR TRANSMITTAL OF PRIORITY DOCUMENT); PCT/IB/308 (SECOND AND SUPPLEMENTARY NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF THE INTERNATIONAL APPLICATION); PCT/RO/101 (PCT REQUEST); POSTCARD FOR EARLY NOTIFICATION OF THE SERIAL NUMBER REQUEST.</li> </ol> |   |  |

IAP12 Rec'd PCT/PTO 09 JUN 2006

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|---|--|--|------------------|---|--|--------------------------------------|--|
| U.S. Application Number:<br>(if known): Not Yet Assigned<br><b>10/582499</b>  |  | International Application Number:<br>PCT/EP2004/053495 |                  | Date: <u>9</u> June 2006 ( <u>9</u> :06:2006)   |  |                                      |  |
| The following fees are submitted:<br>21. Basic National Fee (37 CFR 1.492(a))..... \$ 300.00<br><br>22. Examination Fee (37 CFR 1.492 (c))<br>If the written opinion prepared by ISA/US or the<br>International Preliminary Examination report prepared by<br>IPEA/US indicates all claims satisfy provisions of PCT<br>Article 33(1)-(4) .....\$ 0.00<br>All other situations ..... \$ 200.00<br><br>23. Search Fee (37 CFR 1.492(b))<br>If the written opinion of the ISA/US or the International<br>Preliminary Examination report prepared by IPEA/US indicates<br>all claims satisfy provisions of PCT Article 33(1)-(4)<br>..... \$ 0.00<br>Search fee (37 CFR 1.445(a)(2)) has been paid on the<br>international application to the USPTO as an International<br>Searching Authority ..... \$ 100.00<br>International Search Report prepared by an ISA other than<br>the US and provided to the Office or previously communicated<br>to the US by the IB .....\$ 400.00<br>All other situations ..... \$ 500.00<br><br>_____ Additional fee for specification and drawings filed in<br>paper over 100 sheets (excluding Sequence listing or<br>computer program listing filed in an electronic medium).<br>The fee is \$ 250.00 for each additional 50 sheets of paper or<br>fraction thereof.<br><br>ENTER APPROPRIATE BASIC FEE AMOUNT = |  |  |                  | <b>CALCULATIONS</b><br><br>\$ 300.00<br><br><br>\$ 200.00<br><br><br>\$ 400.00<br><br><br>\$ 900.00 |  | <b>PTO USE ONLY</b>                  |  |
| Surcharge of \$130.00 for furnishing the oath or declaration<br>later than _____ 20 _____ 30 months from the earliest claimed<br>priority date (37 CFR 1.492(e)).   |  |  |                  | \$ 0.00   |  |                                      |  |
| CLAIMS  |  | NUMBER:<br>FILED                                       | NUMBER:<br>EXTRA | RATE  |  |                                      |  |
| TOTAL   |  | 41-20=   | 21               | X \$ 50.00  |  | \$ 1050.00                           |  |
| INDEPENDENT   |  | 5-3=   | 2                | X \$ 200.00   |  | \$ 400.00                            |  |
| Multiple dependent claims(s)<br>(if applicable)   |  |  |                  | + \$360.00  |  | \$ 0.00                              |  |
| TOTAL OF ABOVE CALCULATIONS =   |  |  |                  |   |  | \$ 900.00                            |  |
| Reduction by 2 for asserting small entity, if applicable.<br>(Note 37 CFR 1.9, 1.27, 1.28).   |  |  |                  |   |  | \$ 0.00                              |  |
| SUBTOTAL =  |  |  |                  |   |  | \$ 2350.00                           |  |
| Processing fee of \$130.00 for furnishing the English<br>translation later than _____ 20 _____ 30 months from the<br>earliest claimed priority date (37 CFR 1.492(f)). +  |  |  |                  |   |  | \$ 0.00                              |  |
| TOTAL NATIONAL FEE =  |  |  |                  |   |  | \$ 2350.00                           |  |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)).<br>The assignment must be accompanied by an appropriate cover<br>sheet (37 CFR 3.28, 3.31). \$40.00 per property +  |  |  |                  |   |  | \$ 0.00                              |  |
| TOTAL FEES ENCLOSED =   |  |  |                  |   |  | \$ 2350.00                           |  |
|   |  |  |                  |   |  | Amount to be:<br>refunded<br>charged |  |
|   |  |  |                  |   |  | \$<br>\$                             |  |

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U.S. Application Number:  
(if known): Not Yet AssignedInternational Application  
Number: PCT/EP2004/053495

Date: 9 June 2006 ( 9 :06:2006)


10/582499

- a. ☒ One check in the amount of \$ 2350.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account Number: 14-0112 in the amount of \$ \_\_\_\_\_ to cover the above fees. (A duplicate copy of this sheet is enclosed.)
- c. ☒ The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account Number: 14-0112.
- d. ☐ Fees are to be charged to a credit card ☐ WARNING: Information on this form may become public ☐ Credit Card Information should not be included on this form.  
☐ Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

Send All Correspondence To:

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Customer No. 34375

IAP12 Rec'd PCT/PTO 09 JUN 2006

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Date: June 9, 2006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

BRUECK-SCHEFFLER

Serial No.: Not Yet Assigned

Filed: June 9, 2006

International Appl. No.: PCT/EP2004/053495

International Filing Date: 15 December 2004 (15.12.2004)

Title: AQUEOUS SUSPENSIONS OF CICLESONIDE FOR NEBULISATION

TRANSMITTAL LETTER

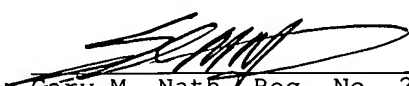
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- 1) Application Data Sheet;
- 2) Transmittal Letter to U.S. Designated/Elected Office (DO/EO/US) Concerning filing under 35 U.S.C. 371;
- 3) International Publication Number: WO 2005/058935 A2, International Publication Date: 30 June 2005 (30.06.2005), which consists of 22 pages:
  - 1 page for the Cover Sheet,
  - 16 pages of Textual Specification,
  - 5 pages of 41 Claims,
  - 0 sheets of Drawings;
- 4) Preliminary Amendment with Appendices A, B and C to be Examined;
- 5) Executed Declaration and Power of Attorney;
- 6) PCT/ISA/210 (International Search Report);
- 7) PCT/ISA/237 (Written Opinion of the International Searching Authority);
- 8) PCT/IB/304 (Notification Concerning Submission or Transmittal of Priority Document);
- 9) PCT/IB/308 (Second and Supplementary Notice Informing the Applicant of the Communication of the International Application);
- 10) PCT/RO/101(PCT Request);
- 11) Check No.: 2253 in the Amount of \$ 2350.00 for Basic Filing Fee, which includes Search and Examination Fees(\$900), 21 claims in excess of 20 (\$1050) and 2 independent claims in excess of 3(\$400), as a Large Entity;
- 12) Postcard for Early Notification of the Serial Number Request.

Respectfully submitted,  
NATH & ASSOCIATES PLLC

  
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